

of Hearing with the return receipt was delivered to Respondent on or about February 7, 2000, as evidenced by Exhibit #2.

4. On or about November 10, 1999, Respondent entered into a Consent Order with the State of Florida Department of Insurance in which Respondent admits he failed to place homeowners and flood coverage or remit funds to the company, allowed an unlicensed person to transact insurance, and failed to refund premiums to an insured in a timely manner. As a result of these actions, Respondent was found to be in violation of Florida law and ordered to pay an administrative fine, and placed on probation, as evidenced by Exhibit #3.

5. On or about February 28, 2000, Respondent sent the Nebraska Department of Insurance a written statement, regarding his conduct in Florida, in which he admits he permitted unlicensed persons to transact insurance business, as evidenced by Exhibit #4.

6. Respondent violated Florida law.

7. The aforementioned conduct constitutes a lack of trustworthiness and competency to transact business in such a manner as to safeguard the public.

CONCLUSIONS OF LAW

1. The Department has jurisdiction and control over the licensing of Respondent to sell insurance in the State of Nebraska pursuant to Neb.Rev.Stat. §44-101.01 and §44-4001 et seq.

2. The Department has personal jurisdiction over Respondent.

3. The Respondent violated Neb.Rev.Stat. §44-4028(1) & (11).

RECOMMENDED ORDER

Based on the Findings of Fact and Conclusions of Law, it is recommended that Respondent's Nebraska insurance agent's license hereby be revoked.

Dated this 13th day of March, 2000.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE

Linda R. Sanchez-Masi
HEARING OFFICER

CERTIFICATE OF ADOPTION

I have reviewed the foregoing Findings of Fact, Conclusions of Law, and Recommended Order, and hereby certify that the Recommended Order is adopted as the official and final Order of this Department in the matter of State of Nebraska Department of Insurance v. Henry L. Myers , Cause No. A-1394.

Dated this 20th day of March, 2000.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE

L. Tim Wagner

L. TIM WAGNER
Director of Insurance

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Findings of Fact, Conclusions of Law, Recommended Order, and Order was served upon the Respondent by mailing a copy to Respondent at 7771 W. Oakland Park Blvd. #100, Sunrise, Florida 33351 by certified mail, return receipt requested on this 20th day of March, 2000.

Stacey M. Bellifemile